

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)
)
 Digital Audio Broadcasting Systems) MM Docket No. 99-325
 And Their Impact On the)
 Terrestrial Radio Broadcast Service)

To: The Commission

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 FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C. 20554

COMMENTS OF COX RADIO, INC.

Cox Radio, Inc. ("Cox"), by its attorneys, submits herewith its comments in response to the Commission's Notice of Proposed Rule Making¹ considering methods to introduce and implement digital audio broadcasting ("DAB"). Cox, either directly or through its wholly-owned subsidiary CXR Holdings, Inc., owns and operates over seventy AM and FM radio stations throughout the United States. Cox is a longstanding supporter of DAB and applauds the Commission for its timely consideration of DAB issues. Cox also appreciates the Commission's commitment, made manifest by the *Notice*, to ensure the continued viability of free, over-the-air broadcast radio service. As the Commission recognizes, radio broadcasters face "significant technical limitations and competitive challenges" in the digital age.² Cox believes that DAB will improve radio service and listener experience substantially, allowing radio broadcasters to keep pace and remain competitive. Accordingly, as described below, Cox urges the Commission to

¹ Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service, *Notice of Proposed Rule Making*, MM Docket 99-325, FCC 99-327 (rel. Nov. 1, 1999) ("*Notice*").

² *Id.* at ¶4.

adopt the well-developed IBOC DAB model and establish procedures for its reasonably rapid implementation.

**THE IBOC MODEL BEST SATISFIES THE COMMISSION'S
GENERALLY APPROPRIATE SELECTION CRITERIA**

Cox generally supports the Commission's DAB service goals and model selection criteria. DAB's fundamental goal should be "to provide vastly improved radio service to the public" through the "superior technical performance capabilities of [DAB] technology."³ In addition, any DAB service developed must use spectrum efficiently, minimize interference, allow for a rapid and non-disruptive transition, and avoid unduly burdensome equipment investments.

Overall, Cox agrees that the Commission's proposed model criteria for evaluating DAB systems will achieve these policy goals. Cox initially notes, however, that the Commission should include among the criteria whether the particular DAB service model will allow for reasonably rapid transition. Given the torrid pace of technology developments, Cox believes that DAB must be implemented with a deliberate speed to ensure that over-the-air radio maintains its viability.

Applying the FCC's evaluative criteria, it is fairly clear that the IBOC system best satisfies the Commission's goals. First and foremost, the IBOC system will "be compatible with the continued operation of existing radio broadcast stations."⁴ IBOC ensures that interference will be minimized. Moreover, IBOC uniquely addresses broader compatibility issues that are critical to consumer acceptance of and a successful broadcaster transition to DAB. Because

³ *Id.* at ¶15.

⁴ *Id.* at ¶23.

IBOC involves dual analog and digital use of existing radio spectrum, listeners should have no problem adjusting to the digital technology.

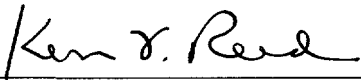
Indeed, ensuring the quality of both analog and digital radio signals during a fixed DAB transition period will preserve listeners' confidence in their familiar radio format and facilitate their acceptance of digital radio. It also will be easier for broadcasters to educate listeners about the new DAB service and how to receive it; educating consumers about a completely distinct area of the spectrum would be costly and inefficient. Accordingly, consumers will be that much more comfortable with and accepting of the new digital technology under IBOC's use of the existing radio band. In short, IBOC would not require significant changes in consumer behavior and would facilitate consumer acceptance and use of the new service.

IBOC also will facilitate existing broadcasters' implementation of the new technology. IBOC systems would have greater spectrum efficiency by permitting analog and digital signals to share the same (and existing) spectrum rather than adding a second band for the Eureka-147 model – which the Commission would have to clear of existing users at no small cost. Furthermore, this shared operation would preclude lengthy use of two separate bands in the event implementation issues extend the transition period. The IBOC model also is better developed and would permit a more rapid implementation. Because of the shared spectrum efficiency and the likelihood of a speedier introduction, the IBOC system offers lower implementation costs and a swifter route to affordable digital equipment. Thus, the Commission promptly should select IBOC and proceed with the difficult task of introducing the new digital service to the public as quickly as reasonably possible.

For these reasons, Cox respectfully requests that the Commission select and implement the IBOC DAB model without delay.

Respectfully submitted,

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